

CHECKLIST TO ADOPT OR AMEND YOUR CONFLICT-OF-INTEREST CODE

- ☐ 1. Fill in the name of your agency in the blank space of the form titled **“CONFLICT-OF-INTEREST CODE.”** This form along with **“APPENDIX A”** and **“APPENDIX B”** constitutes your agency’s conflict-of-interest code.
- ☐ 2. List the board member, employee and consultant positions within your agency that make or participate in the making of decisions, and include those positions in **APPENDIX A**. Determine the “Disclosure Categories” described in **APPENDIX B** that apply to these positions based on the duties of the position.¹ The purpose of the Disclosure Categories is to identify specific types of personal investments, business positions, interests in real property and sources of income which the individual may have which could be affected by a decision the individual board member, employee or consultant may make or participate in making.²
- ☐ 3. Set a time and date for your governing board to consider adoption of your code or amendment. Post the enclosed **“NOTICE OF INTENTION TO ADOPT/AMEND A CONFLICT-OF-INTEREST CODE”** at least 45 days before that date. Post this notice at your agency offices so your officers and employees see the notice. Also, provide a personal copy of the notice to all board members, employees and consultants who are or will be governed by the code. Finally, post the notice at three public places within your jurisdiction or boundaries so that members of the public are made aware of the notice.
- ☐ 4. Provide officers, employees and consultants affected by the code a fair opportunity to present their views; receive any written comments from affected persons regarding the proposed code or amendment.
- ☐ 5. Notice a public hearing **only if** an interested person requests a public hearing no less than 15 days prior to the date set to consider the adoption of the proposed code or amendment.
- ☐ 6. Have the governing body of your agency adopt the code or amended code at a properly noticed board meeting, following a public hearing if one was requested.

A proposed code or amendment that has been changed or modified after being made available to the public, may be adopted if the revised code or amendment is substantially similar to the code or amendment initially proposed. If the code or amendment is *not* substantially similar to the initial code, then your agency will need to give a new public notice and establish a new time period to allow for affected persons and the public opportunity to respond to the revised code.
- ☐ 7. Prepare a document that shows the entire code and amendments in ~~strikeout~~/underline format.

- ☐ 8. Have the appropriate officer complete a REQUEST FOR APPROVAL AND DECLARATION OF COMPLIANCE FOR CONFLICT-OF-INTEREST CODE AMENDMENT/ADOPTION.
- ☐ 9. Forward the above documents along with **three copies** of your conflict-of-interest code or amendment, including **APPENDIX A** and **APPENDIX B**, to:

**Clerk of the Board of Supervisors
2800 West Burrel Avenue
Visalia, California 93291**

In the transmittal letter, discuss areas of controversy, if any, and manner of resolution. Also, include a written explanation of all changes, the duty statements/job descriptions of newly-designated positions, and an organizational chart for your agency.

A conflict-of-interest code or amendment is not effective until it has been approved by the Tulare County Board of Supervisors.³ The Board of Supervisors is the code reviewing body for all local agencies whose territorial jurisdiction is located *entirely* within Tulare County.⁴ The Fair Political Practices Commission is the code reviewing body for all local agencies whose territorial jurisdiction is within two or more counties.⁵ A new agency must submit its conflict-of-interest code no later than 6 months after it comes into existence.⁶ Amendments or revisions of your code must be submitted to the code reviewing body within 90 days after changed circumstances necessitating amendments have become apparent.⁷

Your code or amendment will become effective upon approval by the Board of Supervisors.⁸ After approval, provide those employees in new designated positions, if any, with the Statement of Economic Interests (Form 700) and the employee's disclosure category. Such employees must file an "initial" statement within 30 days of the effective date. Also, provide those employees holding deleted positions with the Form 700 and their disclosure categories, as they must file a "leaving office" statement within 30 days of the effective date. Those employees holding designated positions with title changes, reclassifications, or disclosure category changes do not have additional filing obligations, other than the annual filing obligation.

¹ Government Code section 87309(c)

² Government Code section 87302(a)

³ Government Code section 87303

⁴ Government Code section 82011

⁵ *Id.*

⁶ *Id.*

⁷ Government Code section 87306

⁸ Government Code section 87303.